

APPROVED MINUTES

KITTERY TOWN COUNCIL

February 23, 2015

COUNCIL CHAMBERS

1. Call to Order

Vice Chair White called the meeting to order at 7:00 P.M.

2. Introductory

Vice Chair White read the introductory.

3. Pledge of Allegiance

Vice Chair White led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll were Councilors Russell White, Frank Dennett, Chuck Denault, Jeffrey Pelletier, Ken Lemont and Judy Spiller.

5. Agenda Amendment and Adoption –

Councilor Spiller stated she did not think that they should act on the Planning Board interviews until the new appointment rules were in place. Councilor Denault indicated that he agreed with Councilor Spiller. Councilor Pelletier noted they should remove Item 8 from the agenda.

The agenda was accepted as amended.

6. Town Manager's Report –

Town Manager Puff indicated they had held a hearing on the KCC flooding. She continued they had thought of an approach which would consist of installing a sleeve and properly sealing the units. Ms. Puff stated there was no guarantee that this would work and wanted to discuss the issue more before finalizing the approach.

Town Manager Puff noted they had hired Jan Fisk as the utility billing bookkeeper and Alaina Picott to the planning and code enforcement team.

Town Manager Puff indicated they were trying to schedule the Shipyard to come in to discuss traffic issues.

Town Manager Puff stated there had been a question of installing a traffic light on Goodsoe Road. She continued it did not meet the criteria to warrant a traffic light.

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Town Manager Puff reminded Council that sensitivity training was scheduled for March 19th and would sent a reminder out to everyone.

Town Manager Puff stated she would have an estimated snow removal cost at the next meeting.

Town Manager Puff indicated there were issues with traffic backing up at the intersection on Cook Street. She continued they were looking at the timing of the light and had put up signs reminding people not to block the intersection.

Town Manager Puff noted they had put out to bid the Baler replacement for the Recycling Center.

Councilor Denault stated he thought that the sensitivity training should be mandatory for all boards and committees and that the video should be posted online. Councilor Lemont stated he thought board members should be strongly encouraged to attend. Councilor Lemont noted that he would like to receive an update on the library at each meeting.

7. Acceptance of Previous Minutes – 2/11/15 Regular Meeting & 2/11/15 Special Meeting

The minutes of 2/11/15 Regular Meeting were accepted as amended. The minutes of the 2/11/15 were accepted as presented.

8. Interviews for the Board of Appeals and Planning Board –

- Paul E. Lucy
- Matt Brock
- Deborah Lynch

No action was taken.

9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials – None

10. PUBLIC HEARINGS -

a. (020215-1) The Kittery Town Council moves to hold a public hearing on an application of BNKittery, LLC, 74 State Road, Suite 205, Kittery for a Victualer's License for The Farm Bar & Grill, 57 State Road.

Councilor White noted this public hearing was advertised on February 13th. Councilor White then opened the public hearing and no response being heard, closed the public hearing.

COUNCILOR PELLETIER MOVED TO APPROVE THE APPLICATION OF BNKITTERY, LLC, 74 STATE ROAD, SUITE 205, KITTERY FOR A VICTUALER'S

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LICENSE FOR THE FARM BAR & GRILL, 57 STATE ROAD, SECONDED BY COUNCILOR SPILLER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

b. (020215-2) The Kittery Town Council moves to hold a public hearing in accordance with Section 6.09(4) of the Kittery Town Charter, to transfer funds among capital accounts associated with the repayment of the 2010 fire truck purchase.

		Account #				Account #
Transfer from	Public Safety Impact Fees	4030-68500	\$12,412.04	Transfer to	Fire Truck Reserve	4013-43580
Transfer from	Fire Truck Reserve	4013-68500	\$14,491.23	Transfer to	Pepperrell Road Drainage	4045-43580
Transfer from	Fire Truck Reserve	4013-68500	\$35,121.47	Transfer to	Traffic Lights Rt. 236 Martin Road	4039-43580

Amend Fire Truck Repayment Schedule for FY16 and FY17 to:

Transfer from	Fire Truck Reserve FY16	4013-68500	\$19,661.84	Transfer to	Compensated Absences	2022-43580
Transfer from	Fire Truck Reserve FY16	4013-68500	\$35,121.57	Transfer to	Traffic Lights Rt. 236 Martin Road	4039-43580
Transfer from	Fire Truck Reserve FY17	4013-68500	\$19,661.84	Transfer to	Compensated Absences	2022-43580
Transfer from	Fire Truck Reserve FY17	4013-68500	\$35,121.58	Transfer to	Traffic Lights Rt. 236 Martin Road	4039-43580

Councilor White noted this public hearing was advertised on February 13th. Councilor White then opened the public hearing and no response being heard, closed the public hearing.

COUNCILOR SPILLER MOVED TO TRANSFER FUNDS AMONG CAPITAL ACCOUNTS ASSOCIATED WITH THE REPAYMENT OF THE 2010 FIRE TRUCK PURCHASE AS PRESENTED, SECONDED BY COUNCILOR PELLETIER.

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A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

11. Discussion

- a. Discussion by members of the public – None
- b. Response to public comment directed at a particular Councilor – None
- c. Chairperson's response to public comments – None

12. UNFINISHED BUSINESS – None

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition - None
- b. (020215-2) The Kittery Town Council moves to accept the resignation of Thomas Battcock Emerson from the Planning Board.

COUNCILOR PELLETIER MOVED TO ACCEPT THE RESIGNATION OF THOMAS BATTCOCK EMERSON FROM THE PLANNING BOARD, SECONDED BY COUNCILOR SPILLER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

- c. (020215-3) The Kittery Town Council moves to approve an application from BNKittery, LLC, 74 State Road, Suite 205, Kittery for a Malt, Spirituous and Vinous Liquor License for The Farm & Grille, 57 State Road.

COUNCILOR SPILLER MOVED TO APPROVE AN APPLICATION FROM BNKITTERY, LLCC, 74 STATE ROAD, SUITE 205, KITTERY FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR THE FARM & GRILLE, 57 STATE ROAD, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

- d. (020215-4) The Kittery Town Council moves to approve an application from Loco Coco's Tacos Corp., 36 Walker Street for a Malt, Spirituous and Vinous Liquor License for Loco Coco's Tacos, 36 Walker Street.

COUNCILOR SPILLER MOVED TO APPROVE AN APPLICATION FROM LOCO COCO'S TACOS CORP., 36 WALKER STREET FOR A MALT, SPIRITUOUS

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AND VINOUS LIQUOR LICENSE FOR LOCO COCO'S TACOS, 36 WALKER STREET, SECONDED BY COUNCILOR PELLETIER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

e. (020215-5) The Kittery Town Council moves to approve the disbursement warrants.

COUNCILOR PELLETIER MOVED TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR SPILLER.

A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES 6/0.

f. (020215-6) The Kittery Town Council moves to authorize the Town Manager to enter into a purchase and sale agreement with the Maine Turnpike Authority to purchase land, for a price not to exceed \$1,500 to facilitate the Sewer Extension Project.

COUNCILOR SPILLER MOVED TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH THE MAINE TURNPIKE AUTHORITY TO PURCHASE LAND, FOR A PRICE NOT TO EXCEED \$1,500, TO FACILITATE THE SEWER EXTENSION PROJECT, SECONDED BY COUNCILOR PELLETIER.

Councilor Denault asked if the land had been appraised and how much the appraisal cost. Town Manager Puff replied that it had been appraised and cost \$1,000. Councilor Dennett asked what the appraised value was. Town Manager Puff responded the appraisal had come back at \$500 and that the \$1,500 figure had come as a result of negotiations with the Turnpike Authority who thought it was worth \$3,000. George Kathios, Superintendent of Sewers, came to the podium and stated this was the best and most cost efficient place to install the pump station.. He continued he was still negotiating the price and thought that it might drop a little further.

A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENNETT OPPOSED. MOTION PASSES 5/1.

14. COUNCILOR ISSUE OR COMMENT

Councilor Denault stated he would like to discuss drafting a policy on town employees working from home and also on the confidential files that were available offsite. He continued he was concerned about the security of those files.

Councilor Denault indicated that the streaming of the February 11th meeting was not online.

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Councilor Lemont stated he anticipated the new appointment rules would be presented at the March 9th meeting.

Councilor White stated Council would be meeting with the Eliot Selectmen the following Wednesday at 5:30.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson - None

b. Committee Reports – None

16. EXECUTIVE SESSION – None

17. ADJOURNMENT

**COUNCILOR PELLETIER MOVED TO ADJOURN, SECONDED BY
COUNCILOR DENAULT WITH ALL IN FAVOR. MEETING ADJOURNED AT 7:56
P.M.**